

## **Exhibit I**

2011 CRTC Letter to Orlando Arroyo



# ARCHIVED - Letter

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Ottawa, 22 July 2011

**Mr. Orlando Sabas Arroyo Marroquin**  
Marketing 4 Sunset Group s.a. de c.v.  
Blvd. Kukulcan km. 10  
Benito Juarez, Quintana Roo  
Mexico  
77500

Dear Mr. Marroquin:

RE: Telemarketing calls to consumers in Canada

The Canadian Radio-television Telecommunications Commission (CRTC, by its acronym in the English language) regulates telemarketing in Canada. It has come to our attention that over the past two years, the Mexico-based company, Cancun Unlimited s.a. de c.v. (Cancun Unlimited), and its affiliates, including Marketing for Sunset and Premier Cancun Vacations, have been contacting consumers in Canada via telemarketing telecommunications in a manner that allegedly violate the Canadian *Unsolicited Telecommunications Rules* (the Rules).

The CRTC wishes to inform Cancun Unlimited of allegations against it and its affiliates, made by Canadian consumers, and the results of the investigation carried out by the CRTC into the alleged activities. In addition, the CRTC wishes to inform Cancun Unlimited that it has been working with the Mexican Consumer Protection Agency (PROFECO) in this matter.

With the assistance of PROFECO, the CRTC is seeking to inform Cancun Unlimited and its affiliates of the steps that should be taken to ensure that their telemarketing activities to consumers in Canada are in compliance with the Rules, and thus, avoid the issuance a Notice of Violation and an Administrative Monetary Penalty.

### Background

Over the past several years, the CRTC has received over 12,000 consumer complaints connected to telemarketing calls made by Cancun Unlimited and its affiliates to consumers residing in Canada. These complaints triggered the CRTC’s investigation into Cancun Unlimited’s telemarketing activities in October 2009.

The CRTC’s investigation into the telemarketing activities of Cancun Unlimited and its affiliates to consumers in Canada concluded that:

- 30% of consumer complaints were directly associated with the use of automatic dialing-announcing devices (ADADs or robo-call devices) which, based on Canadian law, can only be used for telemarketing if the consumer has given prior permission to receive such calls;
- 50% of the consumer complaints were related to calls made to telecommunications numbers registered on the Canadian National Do Not Call List (National DNCL);
- 20% of consumer complaints were associated with calling consumers outside of allowable calling hours and early call disconnections; and
- On some calls, the caller appeared to claim to be associated with well-known Canadian corporations.

In addition to the CRTC’s formal investigation into consumer complaints, several well-known Canadian corporations have informed the CRTC that they have also received complaints of calls where the caller claimed to be associated with the Canadian company even though it had no business relationship with Cancun Unlimited or any of its affiliates. In particular, the CRTC has also been informed by a large Canadian company that its customers received between 30,000 and 40,000 calls per day from “spoofed” (or fake) telecommunications numbers that were displayed on the consumers’ call displays, also contrary to our Rules.

### Violations of the Rules

Based on the above, the CRTC wishes to inform Cancun Unlimited that it has committed the following violations of the *Rules*:

#### 1) Contacting consumers via automated dialing-announcing device (ADAD)

- Also known as “robo-calls,” ADADs cannot be used for telemarketing purposes unless the telemarketer has obtained prior express consent from consumers to be contacted via an ADAD. We understand that in Mexico, these devices can be used to make telemarketing calls, but in Canada, they cannot.

#### 2) Violations relating to the National Do Not Call List (National DNCL)

- Failing to subscribe to the National Do Not Call List (National DNCL) and paying all applicable fees:* Telemarketers who make telemarketing calls that solicit for goods and services to Canadian consumers must register as a telemarketer. Every time a registered telemarketer wishes to make telemarketing calls to Canadians, the telemarketer must purchase a subscription to the National DNCL for the relevant area codes the telemarketer is calling into. We note that Cancun Unlimited’s most recent subscription expired on 7 January 2011, and has never been renewed.
- Using an expired version of the National DNCL:* Telemarketers who are registered and have a subscription must download a new version of the National DNCL at a minimum of once every 31 days, and update their calling lists accordingly. We note that Cancun Unlimited has not downloaded a copy of the National DNCL since 14 October 2010.
- Contacting consumers registered on the National DNCL:* Telemarketers must remove any numbers which appear in the National DNCL from their calling lists and must not call these numbers.
- Failing to keep an updated internal do not call list (internal DNCL):* If a Canadian who has not registered their phone number on the National DNCL requests that a telemarketer stop calling them, the telemarketer must obey that wish within 31 days of the request.
- Displaying fake or ‘spoofed’ telecommunications numbers on consumers’ telephone call displays:* Telemarketers must display the telecommunications number from which the telemarketing call is being made, or must display a working number answered by a live operator which Canadians can use to contact the telemarketer to ask questions or make comments.

#### 3) Other concerns

- Cancun Unlimited and its affiliates appear to be misrepresenting themselves as being affiliated with a number of well-known Canadian companies:* During some calls, Cancun Unlimited has falsely claimed, and misled Canadian consumers, that it is associated with well-known Canadian corporations. As indicated above, several of these companies have contacted the CRTC to state they have no business relationship with Cancun Unlimited or any of its affiliates.

### Next steps

The CRTC has concluded that Cancun Unlimited and its affiliates are responsible for making the telemarketing calls and for violating the *Unsolicited Telecommunications Rules* mentioned above. In the spirit of cross-border law enforcement cooperation, the CRTC has requested that PROFECO organize a meeting between PROFECO, the CRTC and Cancun Unlimited to discuss compliance with all relevant Canadian legislation going forward and come to a resolution with regard to the CRTC’s concerns. A standard agreement will be drafted and distributed for your consideration at this meeting.

We trust that this letter clarifies the situation and the CRTC’s position, and we hope that through cooperation and an engagement by Cancun Unlimited for future compliance, we can reach an agreement to avoid the need for further enforcement action.

Sincerely yours,

### Original Signed by

Andrea Rosen  
Chief Compliance and Enforcement Officer

Date modified: 2011-07-22